

50-State Comparison: English Learner Policies

How do states monitor former English learners?

May 2020

The following information was gathered from state statute and regulation only. The information included here captures steps to monitor the progress of former English learners. States specify a monitoring time period, data collection requirements, and actions to be taken if a former English learner is not progressing academically. For additional information, visit the [state EL guidance documents](#).

View the full 50-State Comparison: English Learner Policies [here](#).

STATE	HOW DO STATES MONITOR FORMER ENGLISH LEARNERS?	SOURCE
Federal Law	<p>After students have exited an EL program, school districts must monitor the academic progress of former EL students for at least two years to ensure that: the students have not been prematurely exited; any academic deficits they incurred as a result of participation in the EL program have been remedied; and they are meaningfully participating in the standard instructional program comparable to their never-EL peers.</p> <p>When a school district's monitoring of an exited EL student indicates that a persistent language barrier may be the cause of academic difficulty, school districts should re-test the student to determine if there is a persistent language barrier.</p> <p>If the results of the retesting qualify the student as EL, the school district must reenter the student into EL status and offer EL services.</p>	U.S. Department of Education Dear Colleague Letter: English Learner Students and Limited English Proficient Parents (2015)
Alabama	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Alaska	<p>Each district serving at least 8 students classified as English learners must develop a plan of service that includes a process for monitoring the academic progress of former English learners for four years after they are no longer identified as English learners.</p> <p>All districts are required to monitor the academic progress of former English learners. If the student fails to make academic progress, the district may administer the English language proficiency assessment to determine if a student should be re-identified as an English learner.</p>	Alaska Admin. Code tit. 4, § 34.055

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Arizona	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Arkansas	Governed by the department of education's EL guidebook or federal law rather than state policy.	
California	School districts are required to monitor the progress of former English learners to ensure correct classification and placement.	Cal. Code Regs. tit. 5, § 11304
Colorado	<p>Former English learners must be monitored for two consecutive years following reclassification to be classified as an "exited" student.</p> <p>Each local education provider is required to report on the number of English learners who reenter the English language proficiency program, but specific monitoring requirements are not specified.</p> <p>The performance of English learners is to be reported and categorized. One such category includes "monitored" students who are up to two years removed from redesignation.</p>	<p>1 Colo. Code Regs. § 301-62:2224-R-2.00</p> <p>1 Colo. Code Regs. § 301-62:2224-R-2.001</p> <p>1 Colo. Code Regs. § 301-62:2224-R-5.00</p> <p>Colo. Rev. Stat. Ann. § 22-24-106</p>
Connecticut	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Delaware	Former English learners are monitored for at least two years following reclassification. Students who experience academic difficulty during the transition period may reenter the language instruction education program, or be provided additional services following further assessment.	Code Del. Regs. 14 900
District of Columbia	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Florida	<p>Former English learner performance must be reviewed periodically after exiting English learner status. Reviews must occur after the student's first report card and semi-annually during the first year following exit and at the end of the second year after exiting.</p> <p>Any pattern of underperformance as demonstrated by assessments or failing grades results in a meeting of an English learner committee. The committee must determine if the student needs additional services. The committee must recommend a student plan for students reclassified as English learners.</p>	Fla. Admin. Code Ann. r. 6A-6.09031

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Georgia	Each local education agency must monitor former English learners who have been reclassified as English proficient for two years following their exit from language assistance services. These students are classified as EL Monitored. Monitoring includes a documented review of report card grades, state assessment results, classroom performance and teacher observations for the purpose of ensuring the successful transition to the general classroom.	Ga Comp. R. & Regs. 160-4-5-.02
Hawaii	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Idaho	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Illinois	Governed by the department of education's EL guidebook or federal law rather than state policy. However, school districts may discontinue services for students who have participated in a transitional bilingual education program for three consecutive years even if a student has not achieved English language proficiency. If a district utilizes this authority, they must submit a plan to the state superintendent outlining actions to be taken to continue monitoring and supporting the language acquisition of the student.	Ill. Admin. Code tit. 23, § 228.27
Indiana	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Iowa	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Kansas	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Kentucky	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Louisiana	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Maine	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Maryland	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Massachusetts	Governed by the department of education's EL guidebook or federal law rather than state policy. However, the Massachusetts department of education must conduct an on-site review of school English learner programs at least once every six years. As a part of this evaluation must review the performance data on English learners who have exited the program. The school must also provide a description of the processes by which school-based teams, consisting of educators, administrators and support staff, monitor the progress of former English learners.	Mass. Gen. Laws Ann. ch. 71A, § 7A (West)
Michigan	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Minnesota	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Mississippi	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Missouri	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Montana	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Nebraska	School districts must monitor former English learners for at least four years and compare their academic performance to non English learners.	92 Neb. Admin. Code Ch. 15, 008
Nevada	Governed by the department of education's EL guidebook or federal law rather than state policy.	
New Hampshire	Governed by the department of education's EL guidebook or federal law rather than state policy.	
New Jersey	Former English learners may be considered for reentry into an ESL or bilingual program if they are not progressing in a "mainstream" classroom. Within two years of reclassification, a mainstream classroom teacher may recommend retesting with principal approval. A different English language proficiency assessment than the one used to exit the student must be used to reassess. If the student scores below proficient, the student is reenrolled. A parent, guardian, or teaching staff member may appeal the placement.	N.J. Admin. Code § 6A:15-1.10
New Mexico	Former English learners must be monitored for academic progress for two school years following reclassification.	N.M. Admin. Code 6.29.5
New York	For two years following reclassification, former English learners must receive at least half of a unit of integrated English as a new language in English language arts or another content area, or other services that monitor and support a student's language development and academic progress.	N.Y. Comp. Codes R. & Regs. tit. 8, § 154-2.3

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North Carolina	<p>Former English learners must be monitored for at least six months following reclassification. Additional academic and English language support must be provided if the student is experiencing difficulty.</p> <p>Former English learners may be retested for re-identification if observations and student data indicate the student was exited from English learner status prematurely.</p>	<p>16 N.C. Admin. Code 6D.0106</p> <p>16 N.C. Admin. Code 6D.0312</p>
North Dakota	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Ohio	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Oklahoma	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Oregon	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Pennsylvania	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Rhode Island	Former English learners must be monitored for a minimum of two years. Monitoring includes a review and documentation of student report cards, parental feedback, teacher evaluations, and performance on state and local assessments. If an exited student fails to make progress the local education agency must implement appropriate procedures to support or assess the student. Students may receive additional English language instruction if it is deemed necessary.	R.I. Code R. 20-30-3.16
South Carolina	Governed by the department of education's EL guidebook or federal law rather than state policy.	
South Dakota	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Tennessee	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Texas	<p>Former English learners may be re-enrolled in a bilingual or special language program if later evidence suggests inadequate English proficiency and achievement.</p> <p>During the two years following a student's exit from a bilingual education program , the language proficiency assessment committee must review the student's performance and consider the student's core subject grades, state and local assessment performance, credit completion, and any disciplinary actions. After this review, the committee may require intensive instruction or reenrollment in a bilingual education program.</p> <p>The language proficiency assessment committee must reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.</p>	<p>Tex. Educ. Code Ann. § 29.056</p> <p>Tex. Educ. Code Ann. § 29.0561</p>
Utah	Governed by the department of education's EL guidebook or federal law rather than state policy. However, local education agencies must notify parents when their student exits alternative language services. The notice must include the expected transition rate to a classroom not tailored for a student learning English.	Utah Admin. Code r. R277-716-4
Vermont	Governed by the department of education's EL guidebook or federal law rather than state policy. However, a student who has been reclassified as a former English learner must demonstrate acceptable performance in content subjects to maintain their status.	7-1 Vt. Code R. § 24
Virginia	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Washington	School boards are required to make available a program of instructional support for former English learners for up to two years following reclassification to ensure that student is achieving at grade-level.	Wash. Rev. Code Ann. § 28A.180.040
West Virginia	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Wisconsin	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Wyoming	Governed by the department of education's EL guidebook or federal law rather than state policy.	